

## REMARKS

The present application has been reviewed in light of the Office Action dated January 26, 2009. Claims 55, 58-60, 63-65, 68, and 69 are presented for examination, of which Claims 55, 60, and 65 are in independent form. Claims 55, 60, 65, 68, and 69 have been amended to define aspects of Applicant's invention more clearly. Favorable consideration is requested.

The Office Action states that Claims 55, 58-60, 63-65, 68, and 69 are rejected under § 103(a) as being unpatentable over U.S. Patent No. 6,681,392 (*Henry et al.*) in view of U.S. Patent No. 5,828,864 (*Danknick et al.*), and further in view of U.S. Patent No. 5,727,135 (*Webb et al.*). For at least the following reasons, Applicant submits that independent Claims 55, 60, and 65, together with the claims dependent therefrom, are patentably distinct from the cited references.

The aspect of the present invention set forth in Claim 55 is directed to an information processing apparatus, which is in communication with a plurality of client apparatuses via a network. The apparatus has a programmed processor that controls communications with the plurality of client apparatuses. The programmed processor includes: (1) determining means for determining one or more of the plurality of client apparatuses on which a driver is to be set up, (2) designation means for designating, on a graphical user interface of an installer of a driver, whether test printing is to be executed after a driver set-up has been completed, and (3) transmission controlling means for, if the designation means designates that the test printing is to be executed, controlling operations to transmit, without waiting for a request from any of the plurality of client apparatuses, to each of the one or more of the plurality of client apparatuses determined by the determining means, a set-up instruction to set up the driver and a test printing instruction to execute test printing to check if the driver set-up has been completed, via the network. If the

designation means designates that the test printing is not to be executed, the transmission controlling means controls operations to transmit the set-up instruction, but not the test printing instruction, to each of the one or more of the plurality of client apparatuses determined by the determining means, without waiting for a request from any of the plurality of client apparatuses.

Notable features of Claim 22 are that the designation means designates, on the graphical user interface of the installer of the driver, whether test printing is to be executed after the driver set-up has been completed; that the transmission controlling means controls operations to transmit, via the network, the set-up instruction to set up the driver and the test printing instruction to execute test printing to check if the driver set-up has been completed, without waiting for a request from any of the client apparatuses, to each of the one or more of the plurality of client apparatuses determined by the determining means, if the designation means designates that the test printing is to be executed; and that the transmission controlling means controls operations to transmit, without waiting for a request from any of the plurality of client apparatuses, the set-up instruction, but not the test printing instruction, to each of the one or more of the plurality of client apparatuses determined by the determining means, if the designation means designates that the test printing is not to be executed. By virtue of these features, an apparatus according to Claim 55 is able to quickly install and test print drivers on multiple client apparatuses, for example.<sup>1</sup>

*Henry et al.* is understood to relate to remote installation of software, such as drivers and control programs, on networked computers and workstations (*see* col. 1, lines 7-16). Apparently, *Henry et al.* teaches that a local computer system attaches to a remote registry that

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1/ Any examples presented herein are intended for illustrative purposes and are not to be construed to limit the scope of the claims.

provides system information, such as locations of system files and system directories (see col. 4, lines 23-29). Applicant agrees with the Examiner’s conclusion that *Henry et al.* fails to disclose that a test printing instruction is transmitted to each client apparatus determined by the determining means, and that *Henry et al.* fails to disclose that the designation means designates whether the test printing instruction is to be transmitted (see Office Action, pages 2-3). Similarly, Applicant submits that *Henry et al.* also fails to disclose designation means that designates whether test printing is to be executed.

*Danknick et al.* relates to a network device that interfaces to a peripheral device on a network, receives peripheral status data from the peripheral device, and outputs a testpage that contains network information, such as printer information (see col. 1, lines 9-14). Applicant agrees with the Examiner’s conclusion that *Danknick et al.* fails to disclose designation means that designates whether a test printing instruction is to be transmitted (see Office Action, page 3). Similarly, Applicant submits that *Danknick et al.* also fails to disclose designation means that designates whether test printing is to be executed.

*Webb et al.* is understood to relate to a method of providing status information for multiple printers at a site of one or more host computers in bidirectional communication with the printers (see col. 1, lines 9-13). Apparently, *Webb et al.* teaches that clicking on a Diagnostics button can cause a Printer I/O Diagnostics screen to be presented (see col. 2, lines 19-21). *Webb et al.* discusses that clicking on a Test Page button appearing on the Printer I/O Configuration screen permits a test page to be printed in any of a number of printer languages (see col. 2, lines 21-26). Nothing has been found in *Webb et al.* that is believed to teach or suggest selectively designating execution and non-execution of test printing after set-up of a driver has completed, as set forth in Claim 55.

In summary, Applicant submits that a combination of *Henry et al.*, *Danknick et al.*, and *Webb et al.*, assuming such combination would even be permissible, would fail to teach or suggest an apparatus that includes “designation means for designating, on a graphical user interface of an installer of a driver, whether test printing is to be executed after a driver set-up has been completed” and “transmission controlling means for, if the designation means designates that the test printing is to be executed, controlling operations to transmit, without waiting for a request from any of the plurality of client apparatuses, to each of the one or more of the plurality of client apparatuses determined by the determining means, a set-up instruction to set up the driver and a test printing instruction to execute test printing to check if the driver set-up has been completed, via the network, wherein, if the designation means designates that the test printing is not to be executed, the transmission controlling means controls operations to transmit the set-up instruction, but not the test printing instruction, to each of the one or more of the plurality of client apparatuses determined by the determining means without, waiting for a request from any of the plurality of client apparatuses,” as recited in Claim 55. Accordingly, Applicant submits that Claim 55 is patentable over the cited references and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 60 and 65 include features similar to those of Claim 55 and are believed to be patentable for at least the reasons discussed above. The other claims in the present application depend from one or another of Claims 55, 60, and 65 and are submitted to be patentable for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, individual consideration of the patentability of each claim on its own merits is respectfully requested.

No petition to extend the time for response to the Office Action is deemed

necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable consideration and an early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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